

CAPITAL INVESTMENT BOARD, IOWA[123]

Adopted and Filed

Pursuant to the authority of Iowa Code section 15E.63, the Iowa Capital Investment Board hereby adopts amendments to Chapter 1, "Iowa Capital Investment Board—Administration," and Chapter 2, "Tax Credits for Investments in Qualifying Businesses and Community-Based Seed Capital Funds," Iowa Administrative Code.

Notice of Intended Action was published in IAB Vol. XXXIV, No. 5, p. 268, on September 7, 2011, as **ARC 9745B**.

Items 1 and 2 amend rule 123—1.6(15E) and the implementation sentence for Chapter 1 to reflect the current duties of the Iowa Capital Investment Board.

Item 3 amends 123—Chapter 2 by adding new rule 123—2.11(15E) to provide that responsibilities for the tax credit for investments in qualifying businesses and community-based seed capital funds have been transferred from the Iowa Capital Investment Board to the Economic Development Authority.

Item 4 amends the implementation sentence for 123—Chapter 2.

These amendments are identical to those published under Notice of Intended Action.

These amendments are being adopted by the Department of Revenue on behalf of the Iowa Capital Investment Board pursuant to an Administrative Services Agreement between the Department and the Board.

After analysis and review of this rule making, no adverse impact on jobs has been found.

These amendments are intended to implement Iowa Code section 15E.42 as amended by 2011 Iowa Acts, Senate File 517.

These amendments will become effective December 7, 2011, after filing with the Administrative Rules Coordinator and publication in the Iowa Administrative Bulletin.

The following amendments are adopted.

ITEM 1. Amend rule 123—1.6(15E) as follows:

123—1.6(15E) Duties of the board. The primary duties of the board include the following:

~~1.6(1) To develop a system for issuance, registration and authorization of tax credits for investments in qualifying businesses and community-based seed capital funds as provided in 2002 Iowa Acts, House File 2271, section 3.~~

~~1.6(2) To establish the establishment of criteria and procedures for the issuance, transfer and redemption of contingent tax credits for investments made to the Iowa fund of funds as provided in 2002 Iowa Acts, House File 2078, section 6 Iowa Code section 15E.63.~~

~~1.6(3) To establish a system for the issuance and redemption of tax credits for investments in venture capital funds as provided in 2002 Iowa Acts, House File 2586, section 1.~~

~~1.6(4) On or before December 31 of the calendar year following the end of the immediately preceding fiscal year, to publish and present to the governor and the general assembly an annual report on the activities conducted pursuant to rule 123—2.1(15E). This report shall include a listing of eligible qualifying businesses and community-based seed capital funds and the number of tax credit certificates and the amount of tax credits issued.~~

ITEM 2. Amend **123—Chapter 1**, implementation sentence, as follows:

These rules are intended to implement Iowa Code ~~chapter 15E as amended by 2002 Iowa Acts, House Files 2078, 2271 and 2586~~ section 15E.42 as amended by 2011 Iowa Acts, Senate File 517.

ITEM 3. Adopt the following new rule 123—2.11(15E):

123—2.11(15E) Transfer of responsibilities for administration of the program. Effective for tax years beginning and investments made on or after January 1, 2011, the responsibility for administering

the tax credits for investments in qualifying businesses and community-based seed capital funds has been transferred from the Iowa capital investment board to the economic development authority.

ITEM 4. Amend ~~123~~—**Chapter 2**, implementation sentence, as follows:

These rules are intended to implement Iowa Code ~~chapter 15E and 2007 Iowa Acts, House File 923~~
section 15E.42 as amended by 2011 Iowa Acts, Senate File 517.

[Filed 10/13/11, effective 12/7/11]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 11/2/11.